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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon Fitch, Brandon
Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF KEVIN E. RAYHILL
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT ZUFFA,
LLC'S MOTION TO SEAL PLAINTIFFS'
OPPOSITION TO ZUFFA, LLC'S
MOTION FOR SUMMARY JUDGMENT
AND RELATED MATERIALS (ECF NO.
602)**

1 I, Kevin E. Rayhill, declare and state as follows:

2 1. I am an attorney at the Joseph Saveri Law Firm, Inc., Co-Lead Counsel for the Classes
3 and Attorneys for Individual and Representative Plaintiffs. I am a member in good standing of the State
4 Bar of California, and have been admitted *pro hac vice* in this Court. I am over 18 years of age and have
5 personal knowledge of the facts stated in this Declaration. If called as a witness, I could and would
6 testify competently to them.

7 2. I make this Declaration in Support of Plaintiffs' Opposition to Defendant Zuffa, LLC's
8 Motion to Seal Plaintiffs' Opposition to Zuffa, LLC's Motion for Summary Judgment and Related
9 Materials (ECF No. 602) (the "Opposition").

10 3. Attached hereto as Exhibit 1 is a chart I created entitled "Zuffa's Sealed Documents—
11 Plaintiffs' Arguments Against." It has sections corresponding to the five categories of documents Zuffa
12 asks the Court to seal in its Motion to Seal Zuffa, LLC's Motion for Summary Judgment and Related
13 Materials (ECF No. 577) (the "Motion to Seal"): Contracts, Financial Information, Business
14 Communication and Strategy, Third Party Information, and Expert Reports and Testimony. In addition,
15 Exhibit 1 contains a listing of Zuffa's newly unredacted documents. Exhibit 1 contains three columns.
16 The first column is entitled "Document" and lists the materials Zuffa asks the Court to seal. These
17 entries are taken directly from Zuffa's Motion to Seal. The second column is entitled "Description" and
18 contains brief summaries I created of the content of the materials Zuffa asks the Court to seal. The third
19 column is entitled "Argument Against" and contains brief statements of why Plaintiffs believe the
20 materials should not be sealed (with the exception of some documents in the Third Party Information
21 section, which Plaintiffs have indicated they do not oppose sealing).

22 4. Attached hereto as Exhibit 2 is a true and correct copy of an article written by Adam
23 Swift, entitled "Inside the Standard Zuffa Contract," and published on the Sherdog.com website on
24 Oct. 31, 2007. This article was downloaded from the Internet at my direction on October 17, 2018, and
25 is available for download at [http://www.sherdog.com/news/articles/Inside-the-Standard-Zuffa-](http://www.sherdog.com/news/articles/Inside-the-Standard-Zuffa-Contract-9734)
26 [Contract-9734](http://www.sherdog.com/news/articles/Inside-the-Standard-Zuffa-Contract-9734)<http://www.sherdog.com/news/articles/Inside-the-Standard-Zuffa-Contract-9734>.

27 5. Attached hereto as Exhibit 3 is a true and correct copy of an article entitled "The
28 Business of Fighting: A Look Inside the UFC's Top-Secret Fighter Contract." The article was written

1 by Jonathan Snowden and was published on the Bleacher Report website on May 14, 2013. The article
2 was downloaded from the Internet at my direction on October 17, 2018, and is available for download at
3 [https://bleacherreport.com/articles/1516575-the-business-of-fighting-a-look-inside-the-ufcs-top-secret-](https://bleacherreport.com/articles/1516575-the-business-of-fighting-a-look-inside-the-ufcs-top-secret-fighter-contract#slide8)
4 [fighter-contract#slide8](https://bleacherreport.com/articles/1516575-the-business-of-fighting-a-look-inside-the-ufcs-top-secret-fighter-contract#slide8).

5 6. Attached hereto as Exhibit 4 is a true and correct copy of an article entitled “Bjorn
6 Rebney Explains 'Key Misunderstanding' in UFC Contract Match for Eddie Alvarez.” The article was
7 written by Brian Hemminger and was published on the SB Nation MMA Mania website on January 9,
8 2013. The article was downloaded from the Internet at my direction on October 17, 2018, and is
9 available for download at [https://www.mmamania.com/2013/1/9/3853442/bjorn-rebney-lawsuit-eddie-](https://www.mmamania.com/2013/1/9/3853442/bjorn-rebney-lawsuit-eddie-alvarez-bellator-mma-ufc-contract-match)
10 [alvarez-bellator-mma-ufc-contract-match](https://www.mmamania.com/2013/1/9/3853442/bjorn-rebney-lawsuit-eddie-alvarez-bellator-mma-ufc-contract-match).

11 7. Attached hereto as Exhibit 5 is a true and correct copy of an article entitled “What
12 Investors Are Being Told About UFC Revenues.” The article was written by John S. Nash and was
13 published on the BloodyElbow.com website on October 20, 2015. The article was downloaded from the
14 Internet at my direction on October 12, 2018, and is available for download at
15 [https://www.bloodyelbow.com/2015/10/20/9547333/what-deutsche-bank-moodys-and-standard-](https://www.bloodyelbow.com/2015/10/20/9547333/what-deutsche-bank-moodys-and-standard-poors-tell-us-about-the-ufc)
16 [poors-tell-us-about-the-ufc](https://www.bloodyelbow.com/2015/10/20/9547333/what-deutsche-bank-moodys-and-standard-poors-tell-us-about-the-ufc).

17 8. Attached hereto as Exhibit 6 is a true and correct copy of an article entitled “Dana
18 White: Rampage Jackson Has Made \$15.2 Million in Career Earnings Fighting for UFC.” The article
19 was written by Adam Guillen Jr. and was published on the SB Nation MMA Mania website on January
20 24, 2013. The article was downloaded from the Internet at my direction on October 16, 2018, and is
21 available for download at [https://www.mmamania.com/2013/1/24/3913294/dana-white-rampage-](https://www.mmamania.com/2013/1/24/3913294/dana-white-rampage-jackson-career-earnings-ufc-millions)
22 [jackson-career-earnings-ufc-millions](https://www.mmamania.com/2013/1/24/3913294/dana-white-rampage-jackson-career-earnings-ufc-millions).

23 9. Attached hereto as Exhibit 7 is a true and correct copy of “UFC Disputes Couture’s
24 Claims About His Pay.” The article was written by Ken Pishna and Jeff Cain and was published on the
25 MMA Weekly website on October 30, 2007. The article was downloaded from the Internet at my
26 direction on October 16, 2018, and is available for download at [https://www.mmaweekly.com/ufc-](https://www.mmaweekly.com/ufc-disputes-coutures-claims-about-his-pay-2)
27 [disputes-coutures-claims-about-his-pay-2](https://www.mmaweekly.com/ufc-disputes-coutures-claims-about-his-pay-2).

1 10. Attached hereto as Exhibit 8 is a true and correct copy of an article entitled “UFC
2 Announces Reebok Payouts For Athletes Starting in July 2015.” The article was written by Damon
3 Martin and was published on the Fox Sports website on May 6, 2015. The article was downloaded from
4 the Internet at my direction on October 16, 2018, and is available for download at
5 [https://www.foxsports.com/ufc/story/ufc-announces-reebok-payouts-for-athletes-starting-in-july-2015-](https://www.foxsports.com/ufc/story/ufc-announces-reebok-payouts-for-athletes-starting-in-july-2015-050615)
6 [050615](https://www.foxsports.com/ufc/story/ufc-announces-reebok-payouts-for-athletes-starting-in-july-2015-050615).

7 11. Attached hereto as Exhibit 9 is a true and correct copy of an article entitled “UFC
8 Increases Minimum Salary for New Fighters.” The article was written by Tom Ngo and was published
9 on the 5th Round website on May 30, 2015. The article was downloaded from the Internet at my
10 direction on October 17, 2018, and is available for download at [http://www.5thround.com/184827/ufc-](http://www.5thround.com/184827/ufc-increases-minimum-salary-for-new-fighters/)
11 [increases-minimum-salary-for-new-fighters/](http://www.5thround.com/184827/ufc-increases-minimum-salary-for-new-fighters/)

12 12. Attached hereto as Exhibit 10 is a true and correct copy of the “ UFC Fighter Conduct
13 Policy, ” which is available on the Ultimate Fighting Championship’s website. The policy was
14 downloaded from the Internet at my direction on October 17, 2018 and is available for download at
15 http://media.ufc.tv/conduct/UFC_Fighter_Code_of_Conduct.pdf.

16 13. Attached hereto as Exhibit 11 is a true and correct copy of an article entitled “UFC
17 President Dana White Says EA Sports Responsible for Current MMA Video Game War.” The article
18 was written by John Morgan and was published on the MMA Junkie website on July 12, 2009. The
19 article was downloaded from the Internet at my direction on October 17, 2018, and is available for
20 download at [https://mmajunkie.com/2009/07/ufc-president-dana-white-says-ea-sports-responsible-](https://mmajunkie.com/2009/07/ufc-president-dana-white-says-ea-sports-responsible-for-current-mma-video-game-war)
21 [for-current-mma-video-game-war](https://mmajunkie.com/2009/07/ufc-president-dana-white-says-ea-sports-responsible-for-current-mma-video-game-war).

22 14. On October 15, 2018, I instructed a paralegal working under my direction to investigate
23 whether fighter purse information was published on the Internet for every UFC event held in each of
24 the states known to release purse information (Arizona, California, Florida, Georgia, Massachusetts,
25 Nevada, New Mexico, Ohio, Virginia, Washington, and Wisconsin), since Zuffa acquired the UFC in
26 January 2001. The paralegal personally viewed a webpage for each of those events that reported fighter
27 purse information released by the relevant regulatory authority in each state. The paralegal confirmed
28

1 that fighter purse information is available on the Internet for 182 of the 420 UFC events that have taken
2 place since January 2001.

3 I declare under penalty of perjury and the laws of the United States that the foregoing is true and
4 correct and this Declaration is executed in San Francisco, California on October 17, 2018.

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6 By: /s/Kevin E. Rayhill
Kevin E. Rayhill
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